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Date: July 6, 2006 /Rebecca Stanford/
Rebecca Stanford

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:			
Applicant(s):	Ronald L. Fernandez, *et al.*	Examiner:	Steven P. Sax
Serial No:	09/772,606	Art Unit:	2174
Filing Date:	January 30, 2001		

Title: RESOLUTION INDEPENDENT THEMING

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

Appellants' representative submits this updated brief in connection with an appeal of the above-identified patent application. Although appellants' representative believes that the originally filed Appeal Brief met the requirements under 37 C.F.R. §41.37(c)(1)(v), Section (V) outlining the claimed subject matter has been revised to provide a more specific mapping of the claim limitations to the specification. In the event any additional fees may be due and/or are not covered by the credit card provided with the original Appeal Brief, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP190US].

I. Real Party in Interest (37 C.F.R. §41.37(c)(1)(i))

The real party in interest in the present appeal is Microsoft Corporation, the assignee of the present application.

II. Related Appeals and Interferences (37 C.F.R. §41.37(c)(1)(ii))

Appellants, appellants' legal representative, and/or the assignee of the present application are not aware of any appeals or interferences which may be related to, will directly affect, or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. Status of Claims (37 C.F.R. §41.37(c)(1)(iii))

Claims 1-45 are currently pending in the subject application and are presently under consideration. Claims 1-45 stand rejected by the Examiner. The rejection of claims 1-45 is being appealed.

IV. Status of Amendments (37 C.F.R. §41.37(c)(1)(iv))

An attempt to amend claim 16 to cure the minor informality identified by the Examiner in the Final Office Action dated October 11, 2005 was made in appellants' Reply to Final Office Action. However, the Advisory Action indicates that the amendment was not entered even though it was, and is, appellants' representative's belief that such amendment would place the subject application in better condition for appeal.

V. Summary of Claimed Subject Matter (37 C.F.R. §41.37(c)(1)(v))

Independent Claim 1

Independent claim 1 recites a system that sizes a user interface (UI) element that has at least one component in response to a sizing input. (*See e.g.*, paragraph [0052]). The system comprises a sizing module that sizes a first component in response to the sizing input, (*see e.g.*, paragraph [0052], lines 3-4) wherein the sizing module is capable of sizing one or more disparate sections of the first component asymmetrically in at least two axes. (*See e.g.*, paragraph [0054], lines 6-10). Moreover, the sizing module

mitigates pixilation and disproportionate appearance of the first component. (*See e.g.*, paragraph [0053], lines 4-6). The system as recited in independent claim 1 further includes an alignment module that aligns a second component within the sized first component. (*See e.g.*, paragraph [0056], lines 1-6 and *see generally*, paragraphs [0052]-[0059], [0065]-[0072]).

Independent Claim 4

Independent claim 4 recites a method for sizing a UI element having at least one component in response to a sizing input. (*See e.g.*, paragraph [0085] lines 1-3). The method comprises receiving the sizing input, (*see e.g.*, paragraph [0085], line 3), where the sizing input includes an unsymmetrical sizing factor for one or more sections of a bitmapped first component. (*See e.g.*, paragraph [0085], lines 5-7). The method as recited in claim 4 includes dividing the bitmapped first component into a plurality of grids. (*See e.g.*, paragraph [0085], lines 5-6). Further, the method adjusts the margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input. (*See e.g.*, paragraph [0085], lines 6-7). Additionally, the subject claim includes aligning a second component within the sized first component to mitigate pixilation and inconsonant appearance of the UI element. (*See e.g.*, paragraph [0085], lines 9-10).

Independent Claim 7

Independent claim 7 recites in a computer system having a graphical user interface including a context that a UI element can be rendered to, a method for rendering a UI element having at least one component that is sized in response to sizing input. (*See e.g.*, paragraph [0085], lines 1-3). The method comprises receiving the sizing input (*see e.g.*, paragraph [0085], line 3), dividing a bitmapped first component into a plurality of grids (*see e.g.*, paragraph [0085], lines 5-6), asymmetrically adjusting margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input (*see e.g.*, paragraph [0085], lines 5-7) curbing pixilation and disproportionate representation of the bitmapped first component (*see e.g.*, paragraph [0053], lines 1-6), aligning a second component within the sized first component (*see e.g.*, paragraph

[0085], line 9), and rendering the UI element to the context (*see e.g.*, paragraph [0085], lines 9-10).

Independent Claim 9

Independent claim 9 recites a system that sizes a bitmapped component of a UI element in response to a sizing input, where the bitmapped component was designed under a particular DPI. (*See e.g.*, paragraph [0060], lines 1-4). The system comprises a sizing module that sizes and prevents pixilation and disproportionate appearance of the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under. (*See e.g.*, paragraph [0062], lines 1-16 and paragraph [0063], lines 1-6). Additionally, the sizing module is capable of rendering nonsymmetrical representations of at least one individual sector of the bitmapped component. (*See e.g.*, paragraph [0064], lines 1-12, and *see generally*, paragraphs [0060]-[0064]).

Independent Claim 16

Independent claim 16 recites a method for sizing a bitmapped component of a UI element in response to sizing input, where the bitmapped component was designed under a particular DPI. (*See e.g.*, paragraph [0086], lines 1-4). The method recited in claim 16 comprises receiving the sizing input that includes at least one asymmetrical sizing multiplicand for one or more individuated sectors of the bitmapped component. (*See e.g.*, paragraph [0086], lines 4-13). The method also recites sizing the bitmapped component in response to sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under, thereby curtailing pixilation and disproportionate appearance of the bitmapped component. (*See e.g.*, paragraph [0086], lines 4-16, and *see generally*, paragraphs [0085]-[0086] and Figs. 8-9).

Independent Claim 22

Independent claim 22 recites in a computer system having a graphical user interface including a context that a UI element having a bitmap component can be rendered to, a method for rendering the UI element in response to sizing input where the bitmapped component was designed under a particular DPI. (*See e.g.*, paragraph [0086], lines 1-4). The method comprises receiving the sizing input. (*See e.g.*, paragraph [0085], line 3). The method also asymmetrically sizes one or more areas of the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under, thereby mitigating disproportionate appearance and pixilation of the UI element. (*See e.g.*, paragraph [0086], lines 4-16, and *see generally*, paragraphs [0085]-[0086] and Figs. 8-9).

Independent Claim 27

Independent claim 27 recites a system that produces a UI element having at least one component. (*See e.g.*, paragraph [0065], lines 1-4). The system comprises a sizing module that chooses a second component of the UI element from a library of second components to minimize pixilation and discordant appearance of the second component. (*See e.g.*, paragraph [0066], lines 1-2 and paragraph [0070], lines 1-7). The system also includes an alignment module that aligns the chosen second component within a first component of the UI element. (*See e.g.*, paragraph [0068], lines 3-9 and *see generally*, paragraphs [0065]-[0071]).

Independent Claim 32

Independent claim 32 recites a method for producing a UI element having at least one component. (*See e.g.*, paragraph [0085], lines 1-3). The method comprises choosing a second component of the UI element from a library of second components to attenuate pixilation and to ensure consonant appearance of the UI element. (*See e.g.*, paragraph [0087], lines 6-8). Additionally, the method includes aligning the chosen second component within a first component of the UI element. (*See e.g.*, paragraph [0087], lines 8-11, and *see generally*, [0085]-[0087] and Figs. 8-10).

Independent Claim 38

Independent claim 38 recites in a computer system having a graphical user interface including a context that a UI element having at least one component can be rendered to. (*See e.g.*, paragraph [0065], lines 1-4). The system effectuates a method for rendering a UI element that includes choosing a second component of the UI element from a library of second components, (*see e.g.*, paragraph [0087], lines 6-8), aligning the chosen second component within a first component of the UI element, (*see e.g.*, paragraph [0087], lines 10-11), and rendering the UI element to ensure minimal pixilation and to curtail disproportionate representation within the context. (*See e.g.*, paragraph [0083], lines 1-7).

Independent Claim 42

Independent claim 42 recites a system that produces a UI element having at least one component in response to sizing input. (*See e.g.*, paragraph [0072], lines 1-4). The system comprises a sizing module that asymmetrically sizes one or more identified sections of a scalable font of a second component in response to the sizing input and based upon the DPI of a context that the UI element is being rendered to, the sizing module curtails pixilation and inconsonant depictions of the rendered UI element. (*See e.g.*, paragraph [0073], line 1-paragraph [0075], line 5 and paragraph [0078], lines 3-8). The system further includes an alignment module that aligns the sized second component within a first component of the UI element. (*See e.g.*, paragraph [0078], lines 1-3).

Independent Claim 44

Independent claim 44 recites a system that produces a UI element having at least one component in response to sizing input. (*See e.g.*, [0079, lines 1-4). The system includes a sizing module to size a vector of a second component of the UI element in response to the sizing input and based upon the DPI of a context that the UI element is being rendered to, the sizing module attenuates pixilation and incommensurate representation of the rendered UI element, the sizing input indicates nonsymmetrical sizing of at least one selected area of the second component. (*See e.g.*, paragraph [0080], lines 1-10). The system further includes an alignment module that aligns the sized

second component within a first component of the UI element. (*See e.g.*, paragraph [0081], lines 1-9 and paragraph [0083], lines 1-11, also *see generally* paragraphs [0079]-[0083]).

VI. Grounds of Rejection to be Reviewed (37 C.F.R. §41.37(c)(1)(vi))

A. Claims 1-8 and 42-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330,007) in view of Simons *et al*. (US 5,917,549), and further in view of Marflak *et al*. (US 6,369,851).

B. Claims 9, 16, 18, and 22 stand rejected as being unpatentable over Higgins *et al*. (US 5,477,241) in view of Simons *et al*. (US 5,917,549), and further in view of Marflak *et al*. (US 6,369,851).

C. Claims 10-15, 17, 19-21 and 23-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Higgins *et al*. (US 5,477,241) in view of Simons *et al*. (US 5,917,549) as applied to claims 9, 16, 18, and 22 above, in view of Isreal *et al*. (US 6,330,007), and further in view of Marflak *et al*. (US 6,369,851).

D. Claims 27, 28, 32, 36, 38, and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330,007) in view of Simons *et al*. (US 5,917,549).

E. Claims 29-31, 33-35, 37, 40, and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330, 007) in view of Simons *et al*. (US 5,917,549) as applied to claims 27, 32, and 38 above, and further in view of Higgins *et al*. (US 5,477,241).

VII. Argument (37 C.F.R. §41.37(c)(1)(vii))

A. Rejection of Claims 1-8 and 42-45 Under 35 U.S.C. §103(a)

Claims 1-8 and 42-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330,007) in view of Simons *et al*. (US 5,917,549), and further in view of Marflak *et al*. (US 6,369,851). Reversal of this rejection is

requested for at least the following reasons. Isreal *et al*., Simons *et al*. and Marflak *et al*., alone or in combination, do not teach or suggest each and every aspect set forth in the subject claims.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. *See* MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior art and not based on the Applicant's disclosure***. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The invention as claimed relates to systems and methods that mitigate pixilation and/or disproportionate appearance of themed images when the images are sized and/or scaled. Independent claims 1, 4, 7, 42 and 44 recite similar aspects, namely: ***the sizing module capable of sizing one or more disparate sections of the first component asymmetrically in at least two axes***. The combination of Isreal *et al*, Simons *et al*. and Marflak *et al*. do not teach or suggest these novel features of appellants' claimed invention.

Isreal *et al*. provides a tool for designing a graphical user interface, and more particularly, a prototyping and specification tool for designing dynamic user interaction screens including input areas, forms, pick lists, electronic receipts, and screen-labeled keys. Additionally, Simons *et al*. relates to an image composition system for composing a plurality of images having different pixel aspect ratios to reduce distortion of image content. However, as the Examiner concedes neither Isreal *et al*. nor Simons *et al*. teach or suggest a ***sizing module capable of sizing one or more disparate sections of the first component asymmetrically in at least two axes***.

In order to cure the aforementioned deficiencies rendered by Isreal *et al*. and Simons *et al*. the Examiner offers Marflak *et al*. Marflak *et al*., the tertiary document, relates to imaging devices and more specifically to a method and apparatus for minimizing burn lines on a cathode ray tube (CRT) display used in an image display device such as a television. The Examiner asserts that the tertiary document provides the novel aspects of the claimed invention at col. 2, lines 34-63; col. 3, lines 48-55; and figs. 5-7. Appellants' representative disagrees. Col. 2, lines 34-63 disclose that attempts have been made to solve a CRT burning problem by using deflection waveforms to make a 16:9 aspect ratio picture cover the 4:3 aspect ratio screen wherein the 16:9 aspect ratio picture is vertically stretched to cover the black bands at the top and bottom of the 4:3 aspect ratio television display. Col. 2, lines 34-63 further provide that where deflection waveforms are linear, objects in the 16:9 aspect ratio picture appear disproportionately taller than normal, and where the deflection waveforms are non-linear, shape distortion occurs in the 16:9 aspect ratio picture. Thus, in both situations the displayed image is distorted or different from the original. In addition, col. 3, lines 48-55 provide that the aim of the tertiary document is to minimize CRT burning without distorting the 16:9 aspect ratio picture by creating a smoother transition from a no signal area (top and bottom edges of the 16:9 aspect ratio picture being displayed on a 4:3 aspect ratio television) to the signal area by decreasing the signal strength near the top and bottom portions of the 16:9 aspect ratio signal. It would appear that Marflak *et al*. does not size one or more disparate sections of a first component asymmetrically in at least two axes to minimize disproportionate appearance as recited in the subject claims, but rather the tertiary document produces an edge modification attenuation signal that minimizes burn lines at the top and bottom edge boundaries of a 16:9 aspect ratio picture as displayed on a 4:3 aspect ratio CRT.

Additionally, as stated *supra*, Marflak *et al*. relates specifically to a method and apparatus for minimizing burn lines on a cathode ray tube (CRT) display used in an image display device such as a television, whereas appellants' claimed invention relates to systems and methods that mitigate pixilation and/or disproportionate appearance of themed images when the images are sized and/or scaled. It is thus submitted that the Examiner is employing a 20/20 hindsight road map based analysis to impermissibly

provide the missing teaching. In essence, the Examiner is basing the rejection on an assertion that it would have been obvious to do something not suggested in the art based on the advantages disclosed in appellants' specification. This sort of rationale has been condemned by the Court of Appeal for the Federal Circuit as being sophistic. *See e.g.*, *Panduit Corp. v. Dennison Manufacturing Co.*, 1 USPQ2d 1593 (Fed. Cir. 1987). Thus, it is submitted that a *prima facie* case of obviousness has not been established against appellants' claimed invention. Further, the subject invention would not have been obvious to one of ordinary skill in the art sufficient to impel him/her to do what appellants have suggested, other than *via* employment of appellants' specification as a 20/20 hindsight-based road map to achieve the purported invention. Accordingly, Reversal of the rejection of independent claims 1, 4, 7, 42 and 44 (and associated dependent claims) is requested.

B. Rejection of Claims 9, 16, 18, and 22 Under 35 U.S.C. §103(a)

Claims 9, 16, 18, and 22 stand rejected as being unpatentable over Higgins *et al.* (US 5,477,241) in view of Simons *et al.* (US 5,917,549), and further in view of Marflak *et al.* (US 6,369,851). This rejection should be reversed for at least the following reasons. Higgins *et al.*, Simons *et al.* and Marflak *et al.*, either alone or in combination, do not teach or suggest all aspects recited in the subject claims.

Independent claims 9, 16 and 22 recite a similar limitation: ***the sizing module capable of rendering nonsymmetrical representations of at least one individual sector of the bitmapped component***. Higgins *et al.* Simons *et al.* and Marflak *et al.*, individually and/or in combination, fail to teach or suggest each and every aspect of appellants' claimed invention.

Higgins *et al.* discloses a screen utility that permits a user to select the number of display pixels utilized to represent a designated unit length of printed output in a computer system's display screen, and Simons *et al.* relates to an image composition system for composing a plurality of images having different pixel aspects ratios to reduce distortion of image content. However, as the Examiner acknowledges neither Higgins *et al.* nor Simons *et al.* provide a sizing module capable of rendering nonsymmetrical representations of at least one individual sector of the bitmapped component.

In order to rectify the lack of teaching provided by Higgins *et al*. and Simons *et al*., the Examiner offers Marflak *et al*. As stated above, Marflak *et al*. relates to imaging devices and more specifically to a method and apparatus for minimizing burn lines on a cathode ray tube (CRT) display used in an image display device such as a television. The Examiner contends that the substance of the subject claims can be located at col. 2, lines 34-63; col. 3, lines 48-55; and figs. 5-7. Appellants' representative avers to the contrary. As has been discussed above, Marflak *et al*. discloses a method and apparatus to minimize burn lines on a cathode ray tube display used in an image display device such as a television. The Examiner contends that the cited document provides the novel aspects of appellants' claimed invention at col. 2, lines 34-36; col. 3, lines 48-55; and figs. 5-7. As has been stated in connection with the rejection of claims 1-8 and 42-45 *supra*, Marflak *et al*. fails to provide a sizing module capable of rendering nonsymmetrical representations of at least one individual sector of the bitmapped component as recited in the subject claims, but rather the cited document produces an edge modification attenuation signal that minimizes burn lines at the top and bottom edge boundaries of a 16:9 aspect ratio picture as displayed on a 4:3 aspect ratio CRT display.

Moreover, as stated above, Marflak *et al*. relates specifically to a method and apparatus for minimizing burn lines on a cathode ray tube display used in an image display device. Appellants' claimed invention in contrast relates to systems and methods that mitigate pixilation and/or disproportionate appearance of themed images when the images are sized and/or scaled. In light of this distinction it is appellants' representative's contention that the Examiner is impermissibly employing a 20/20 roadmap based analysis to provide the missing teaching. This sort of casuistic rationale has been condemned by the Court of Appeal for the Federal Circuit. *See e.g.*, *Panduit Corp. v. Dennison Manufacturing Co.*, 1 USPQ2d 1593 (Fed. Cir. 1987). Thus, it is submitted that the Examiner has failed to provide a *prima facie* case of obviousness against appellants' claimed invention. Accordingly, this rejection should be reversed with respect to claims 9, 16, 18 and 22.

C. Rejection of Claims 10-15, 17, 19-21 and 23-26 Under 35 U.S.C. §103(a)

Claims 10-15, 17, 19-21 and 23-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Higgins *et al*. (US 5,477,241) in view of Simons *et al*. (US 5,917,549) as applied to claims 9, 16, 18, and 22 above, in view of Isreal *et al*. (US 6,330,007), and further in view of Marflak *et al*. (US 6,369,851). Reversal of this rejection is requested for at least the following reasons. Claims 10-15, 17, 19-21 and 23-26 depend from independent claims 9, 16 and 22; and Isreal *et al*. and Marflak *et al*. do not rectify the aforementioned deficiencies with respect to the aspects recited in claims 9, 16 and 22. Accordingly, this rejection should be reversed.

D. Rejection of Claims 27, 28, 32, 36, 38, and 39 Under 35 U.S.C. §103(a)

Claims 27, 28, 32, 36, 38, and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330,007) in view of Simons *et al*. (US 5,917,549). This rejection should be reversed for at least the following reasons. Isreal *et al*. and Simons *et al*., either alone or in combination, fail to teach or suggest all aspects set forth in the subject claims.

Independent claims 27, 32 and 38 recite similar limitations, namely: *a sizing module that* ***chooses a second component of the UI element from a library of second components***. The Examiner contends that Isreal *et al*. provides this exemplary aspect at col. 15, lines 10-25. Appellants' representative disagrees. As stated *supra*, Isreal *et al*. provides a tool for designing a graphical user interface, and more particularly, a prototyping and specification tool for designing dynamic user interaction screens such as input areas, forms, pick lists, electronic receipts and screen-labeled keys. In particular, the passage noted by the Examiner discloses a visible check box that allows designation of whether a selected column is visible within a grid; an alignment dropdown list that allows selection of an alignment setting for text to be displayed within a particular column; and a width text box that allows the exact numeric width of a selected column to be specified. In addition, the indicated passage provides an adjust button that adjusts the width of the next-to-last visible column so that the last visible column is right-aligned with the right edge of the grid; a column heading text box that allows entry of a heading

for selected columns; a settings for row spin box that allows for the selection of a particular grid row for which properties are to be edited; and a valid check box that designates whether a selected row is enabled in the grid on a user's screen. However, contrary to the Examiner's assertion, the indicated passage does not disclose choosing a second component of the UI element from ***a library of second components***. In fact, Isreal *et al*. is silent with regard to the utilization of a library of user interface components, let alone a library of second user interface components. It is thus submitted that Isreal *et al*. fails to teach or suggest this novel feature of appellants' claimed invention.

Additionally, the Examiner acknowledges that Isreal *et al*. fails to provide for ***the minimize pixilation and discordant appearance*** as recited in the subject claims, and thus provides Simons *et al*. to cure this deficiency. While it is recognized that Simons *et al*. mitigates pixilation and the discordant appearance of rendered composite images, it is nevertheless asserted that Simons *et al*. does not make up for the aforementioned deficiencies with respect to the teachings provided by Isreal *et al*.

In view of at least the foregoing, it is requested that this rejection should be reversed with respect to independent claims 27, 32 and 38 (and claims that depend there from).

E. Rejection of Claims 29-31, 33-35, 37, 40, and 41 Under 35 U.S.C. §103(a)

Claims 29-31, 33-35, 37, 40, and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Isreal *et al*. (US 6,330, 007) in view of Simons *et al*. (US 5,917,549) as applied to claims 27, 32, and 38 above, and further in view of Higgins *et al*. (US 5,477,241). Reversal of this rejection is requested for at least the following reasons. Claims 29-31, 33-35, 37, 40 and 41 depend from independent claims 27, 32 and 38; and Higgins *et al*. does not cure the aforementioned deficiencies with respect to independent claims 27, 32 and 38. Accordingly, this rejection should be reversed.

F. Conclusion

For at least the above reasons, the claims currently under consideration are believed to be patentable over the cited references. Accordingly, it is respectfully requested that the rejections of claims 1-45 be reversed.

If any additional fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP190US].

Respectfully submitted,
AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/
Himanshu S. Amin
Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24th Floor, National City Center
1900 East 9th Street
Telephone: (216) 696-8730
Facsimile: (216) 696-8731

VIII. Claims Appendix (37 C.F.R. §41.37(c)(1)(viii))

1. A system that sizes a user interface (UI) element having at least one component in response to a sizing input comprising:

a sizing module that sizes a first component in response to the sizing input, the sizing module capable of sizing one or more disparate sections of the first component asymmetrically in at least two axes, the sizing module mitigates pixilation and disproportionate appearance of the first component; and

an alignment module that aligns a second component within the sized first component.

2. The system of claim 1, the UI element is themed.

3. The system of claim 1, the first component is a bitmap and the sizing module divides the bitmap into a plurality of grids and adjusts margins of at least some of the grids to size at least some of grids of the bitmap.

4. A method for sizing a UI element having at least one component in response to a sizing input comprising:

receiving the sizing input, the sizing input includes an unsymmetrical sizing factor for one or more sections of a bitmapped first component;

dividing the bitmapped first component into a plurality of grids;

adjusting the margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input; and

aligning a second component within the sized first component to mitigate pixilation and inconsonant appearance of the UI element.

5. The method of claim 4, the UI element is themed.

6. A computer-readable medium storing computer-executable instructions that performs the method of claim 4.

7. In a computer system having a graphical user interface including a context that a UI element can be rendered to, a method for rendering a UI element having at least one component that is sized in response to sizing input comprising:

receiving the sizing input;

dividing a bitmapped first component into a plurality of grids;

asymmetrically adjusting margins of at least some of the grids to size at least some of the grids of the bitmap in response to the sizing input;

curbing pixilation and disproportionate representation of the bitmapped first component;

aligning a second component within the sized first component; and

rendering the UI element to the context.

8. The method of claim 7, the UI element is themed.

9. A system that sizes a bitmapped component of a UI element in response to a sizing input, where the bitmapped component was designed under a particular DPI, the system comprising:

a sizing module that sizes and prevents pixilation and disproportionate appearance of the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under, the sizing module capable of rendering nonsymmetrical representations of at least one individual sector of the bitmapped component.

10. The system of claim 9, the UI element is themed.

11. The system of claim 9, the sizing module divides the bitmapped component into a plurality of grids and adjusts the size of the grids to size the component.

12. The system of claim 11, the sizing module adjusts margins of the grids to adjust the size of the grids.

13. The system of claim 12, the sizing module adjusts the margins of the grids based upon the functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under.

14. The system of claim 11, the sizing module adjusts the margins of the grids such that the size of each of the grids is adjusted in both the horizontal and vertical directions.

15. The system of claim 14, the functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under is the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under.

16. A method for sizing a bitmapped component of a UI element in response to sizing input, where the bitmapped component was designed under a particular DPI, the method comprising:

receiving the sizing input that comprises at least one asymmetrical sizing multiplicand for one or more individuated sectors of the bitmapped component; and

sizing the bitmapped component in response to sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under, thereby curtailing pixilation and disproportionate appearance of the bitmapped component.

17. The method of claim 16, the UI element is themed.

18. The method of claim 16 further including:

dividing the bitmap into a plurality of grids; and

adjusting margins of the grids to adjust the size of the grids based upon the functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under.

19. The method of claim 18 further including:

adjusting the margins of the grids such that the size of each of the grids is adjusted in both the vertical and horizontal directions.

20. The method of claim 19 further including:

adjusting the margins of the grids based upon the ratio of the DPI of the context that the UI element is being rendered to the DPI that the bitmapped component was designed under.

21. A computer-readable medium storing computer-executable instructions that performs the method of claim 20.

22. In a computer system having a graphical user interface including a context that a UI element having a bitmap component can be rendered to, a method for rendering the UI element in response to sizing input where the bitmapped component was designed under a particular DPI, the method comprising:

receiving the sizing input; and

asymmetrically sizing one or more areas of the bitmapped component in response to the sizing input and based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under, thereby mitigating disproportionate appearance and pixilation of the UI element.

23. The system of claim 22, the UI element is themed.

24. The method of claim 22 further including:

dividing the bitmap into a plurality of grids; and

adjusting margins of the grids to adjust the size of the grids based upon the functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under.

25. The method of claim 24 further including:

adjusting the margins of the grids such that the size of each of the grids is adjusted in both the vertical and horizontal directions.

26. The method of claim 25 further including:

adjusting the margins of the grids based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the bitmapped component was designed under.

27. A system that produces a UI element having at least one component comprising:

a sizing module that chooses a second component of the UI element from a library of second components to minimize pixilation and discordant appearance of the second component; and

an alignment module that aligns the chosen second component within a first component of the UI element.

28. The system of claim 27, the UI element is themed.

29. The system of claim 27, entries within the library are designed under a particular DPI, the sizing module chooses the second component from the library based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

30. The system of claim 29, the sizing module chooses the second component from the library based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

31. The system of claim 30 the sizing module refines the size of the chosen second component based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

32. A method for producing a UI element having at least one component comprising:

choosing a second component of the UI element from a library of second components to attenuate pixilation and to ensure consonant appearance of the UI element; and

aligning the chosen second component within a first component of the UI element.

33. The method of claim 32, entries within the library are designed under a particular DPI, the method further including:

choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

34. The method of claim 33 further comprising:

choosing the second component from the library based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

35. The method of claim 34 further comprising:

refining the size of the chosen second component based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

36. A computer-readable medium having computer-executable instructions that performs the method of claim 32.

37. A computer-readable medium having computer-executable instructions that performs the method of claim 33.

38. In a computer system having a graphical user interface including a context that a UI element having at least one component can be rendered to, a method for rendering a UI element comprising:

choosing a second component of the UI element from a library of second components;

aligning the chosen second component within a first component of the UI element; and

rendering the UI element to ensure minimal pixilation and to curtail disproportionate representation within the context.

39. The system of claim 38, the UI element is themed.

40. The method of claim 38, entries within the library are designed under a particular DPI, the method further including:

choosing the second component from the library based upon a functional relationship between the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

41. The method of claim 40 further including:

choosing the second component from the library based upon the ratio of the DPI of the context that the UI element is being rendered to and the DPI that the entries within the library were designed under.

42. A system that produces a UI element having at least one component in response to sizing input comprising:

a sizing module that asymmetrically sizes one or more identified sections of a scalable font of a second component in response to the sizing input and based upon the DPI of a context that the UI element is being rendered to, the sizing module curtails pixilation and inconsonant depictions of the rendered UI element; and

an alignment module that aligns the sized second component within a first component of the UI element.

43. The system of claim 42, the UI element is themed.

44. A system that produces a UI element having at least one component in response to sizing input comprising:

a sizing module to size a vector of a second component of the UI element in response to the sizing input and based upon the DPI of a context that the UI element is being rendered to, the sizing module attenuates pixilation and incommensurate representation of the rendered UI element, the sizing input indicates nonsymmetrical sizing of at least one selected area of the second component; and

an alignment module that aligns the sized second component within a first component of the UI element.

45. The system of claim 44, the UI element is themed.

IX. Evidence Appendix (37 C.F.R. §41.37(c)(1)(ix))

None.

X. Related Proceedings Appendix (37 C.F.R. §41.37(c)(1)(x))

None.